

REMARKS

The Official Action of 12 April 2005 has been carefully considered and reconsideration of the application as amended is respectfully requested.

The specification has been amended to provide sequence identifiers for the nucleic acid sequences and amino acid sequences in the drawings whereby to overcome the objection in the first paragraph on page 3 of the Official Action. The Sequence Listing has also been revised to include the identified sequences and the revised Sequence Listing has been incorporated into the specification. Applicant submits herewith a computer readable form copy and a paper copy of the revised Sequence Listing along with the requisite statements that the computer readable form copy and paper copy are the same and include no new matter.

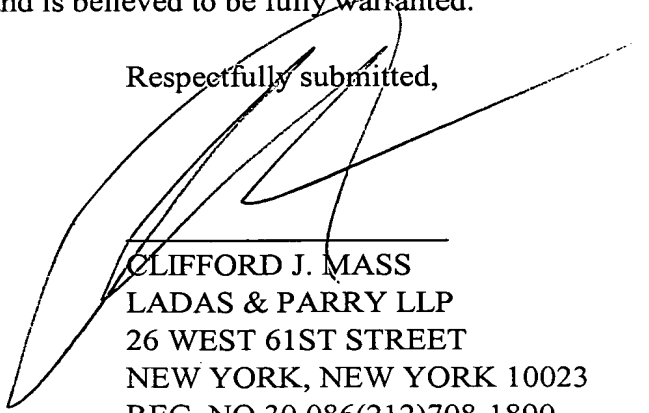
Applicant hereby affirms his election to prosecute in the present application the claims of Group II, i.e. claims 4-6 and 9-11, and has now amended claim 4 to delete reference to the non-elected subject matter, i.e., SEQ ID NO: 3, whereby to remove the basis for the claim objection on page 3 of the Official Action. In addition, claim 4 has been amended to delete the recitation "and fragments thereof". This is respectfully believed to remove the basis for the rejection under 35 USC 112, first paragraph appearing on pages 3-5 of the Official Action in view of the Examiner's comments that the rejection applies to the fragments other than the two (2) fragments described in the specification. Also, the rejection was not applied against claim 6.

The amendment to the claims is also respectfully believed to remove the bases for the prior art rejections appearing at pages 5-6 of the Official Action insofar as the Examiner has acknowledged that the closest prior art does not disclose nucleotides 304-310 of SEQ ID NO: 1 and has indicated the allowability of claim 6. All claims presently of record encompass these nucleotides.

The non-elected claims have been either canceled or withdrawn. With respect to the method claims which depend from the elected product claims, Applicant respectfully requests rejoinder pursuant to the provisions of MPEP Section 821.04.

In view of the above, it is respectfully submitted that all rejections and objections of record have been overcome and that the application is now in allowable form. An early notice of allowance is earnestly solicited and is believed to be fully warranted.

Respectfully submitted,



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